THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 18389 of 2007

Date:03-09-2007

Between:

Dantuluri Venkata Appala Suryanarayana Raju .. **PETITIONER**

AND

The Mandal Revenue Officer, Anandapuram and two others ..

RESPONDENTS

ORDER:

The petitioner seeks a writ of mandamus to declare the action of the 1st respondent in not issuing the pattadar pass book in respect of the land in an extent of Ac.4.50 cents in Sy.No.74/5 situated at Gudilova village, Anandapuram mandal, Visakhapatnam District in spite of the petitioner fulfilling all the terms and conditions as per the letter issued by the 1st respondent, as illegal and arbitrary.

It is the case of the petitioner that originally the land in an extent of Ac.04.50 cents in Sy.No.74/5 situated at Gudilova village, Anandapuram mandal, Visakhapatnam District was assigned in favour of late Smt.E.R.Franssen wife of D.K. Babu by way of D.Form patta bearing D.R.No.2/92, H.A., dated 15.05.1992. It is stated that the said Smt.E.R.Franssen has expired on 03.03.2006 and her husband predeceased her on 04.05.2001 and she executed a will in favour of the petitioner on 18.08.1997 bequeathing the said property in his favour. It is stated that the petitioner is entitled to succeed the said property as per the will and accordingly, he made a representation on 25.05.2006 before the first respondent to incorporate his name in the revenue records.

The learned Government Pleader appearing for the respondents submits that it is not known whether the said D.Form patta which is a format for allotting the house site is genuine or not.

I am not inclined to express any opinion with regard to the contentions of the rival parties. However, as the representation, dated 25.05.2006 said to have been made is pending before the first respondent, and if any such representation is received and pending, it is for the first respondent to consider and dispose of the same in

accordance with law as expeditiously as possible and without any further delay, after conducting due enquiry.

Accordingly, the writ petition is disposed of. No costs.

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V.ESWARAIAH, J.

Date:03.09.2007
ccm